

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

2005 MAY 13 P 4:37

NEIGHBORHOOD
ASSOCIATION OF THE BACK
BAY, INC. et al.

Plaintiffs

v.

FEDERAL TRANSIT
ADMINISTRATION et al.

Defendants

CIVIL ACTION
NO. 04cv11550-RCL

AFFIDAVIT OF DOROTHY
BOWMER

I, Dorothy Bowmer, state the following.

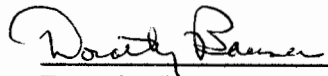
1. I attended two meetings of the Architectural Committee of the Neighborhood Association of the Back Bay, Inc. at which MBTA representatives. Barbara J. Boylan. and Andrew Brennan of the MBTA were present. The first of these meetings was in August 2003, or near that time. The second was in March 2003, or near that time. At some point, Ms. Boylan had given me her card, which identified her as the MBTA's Director of Design in its Design and Construction department. I heard what Ms. Boylan and Mr. Brennan said at these meetings

2. At the meeting in 2003,. one or both of the MBTA representatives said that the proposed elevator entrance at Copley Station would be enclosed in glass. This proposed elevator entrance was to be placed in front of the Boylston Street facade of the Boston Public Library, a National Historic Landmark. At this meeting, the MBTA representatives were asked whether the MBTA would agree

that it would not allow advertising on the elevator enclosure. Ms. Boylan said that the MBTA would not agree that it would not allow advertising on its structures. Although the question to the MBTA representatives was about the proposed elevator entrance to Copley Station at the Boston Public Library, Ms. Boylan's answer was general and not limited to the Copley Station or to the Boston Public Library.

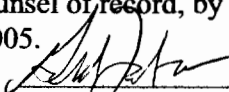
3. At the second meeting, in approximately March 2004, the MBTA representatives were asked again whether the MBTA would keep advertising off its elevator entrance. Mr. Brennan said that the MBTA would not enter into any agreement which would curtail future revenue from advertising.

Signed under penalties of perjury,


Dorothy Bowmer 5/13/05
Date

Certificate of Service

I hereby certify that a true copy of the above document was served upon all counsel of record, by mail, on May 13, 2005.


Gerald Fabiano